IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24361 of 2008
ASHOK KUMAR THAKUR & ANR
Versus
STATE OF BIHAR
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2 17.07.2008 Heard learned counsels for the petitioners and the Staten as also the counsel for the informant.

Petitioners apprehend arrest in connection with Complaint Case No. 1604-C/07 for the offence alleged to have been committed under sections 406/420/341/323/504 of the Indian Penal Code and section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act.

It has been submitted on behalf of the petitioners that on perusal of the allegations it appears that the same are baseless and vague and no details have been given with regard to parting with the money. It is further submitted that as regard the allegation to the effect that the petitioners were accosted with the words for denying the demand of money made by the complainant alleging that he is a member of scheduled caste. It is further submitted that the allegations made in the complaint does not attract the provisions of the SC/ST Act.

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Learned counsel for the informant, on the other hand, submits that on perusal of the complaint it would appear that the petitioners insulted him on making demand for return of his money by addressing him as “Dhobi”, and as such, the petitioners are not entitled to be

granted the privilege of anticipatory bail.

Considering the submissions, as noticed above, and on perusal of the allegations levelled in the complaint, averments made in the petition as also the materials brought on record, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioners namely, Ashok Kumar Thakur & Pankaj Thakur be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Protest-cum-Complaint Case No. 1604-C of 2007 subject to the conditions as laid down under section 438(2) of the Criminal Procedure Code.

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Manish/- (Shailesh Kumar Sinha,J.)

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